■ Child Support Enforcement Program: Providing for Florida's Children

CS Establishing Orders

verseeing child support cases for 901,000 children can be challenging. Before the first dime can be collected, an order for support must be in place. The 10 steps at right must be completed to establish a child support order through the courts. Yet fewer than 10,000 of the nearly 250,000 new cases DOR receives each year have these vital orders in effect when the cases come in. DOR must work with several partners to make the establishment process effective: custodial parents, noncustodial parents, attorneys, court clerks, sheriff's departments and the judiciary. DOR is working with its partners to make the establishment process faster and more effective.





Locate Noncustodial Parent

lists and other sources of information to

DOR uses a wide range of databases,

locate noncustodial parents.



Interview Noncustodial Parent

To make later steps easier, DOR attempts to make its initial contact with a noncustodial parent (usually the father) nonconfrontational. Sometimes, a man is not aware he has fathered a child.



Interview Custodial Parent

During the interview, the Department of Revenue (DOR) collects information necessary to process the case. The interview usually takes a half hour.

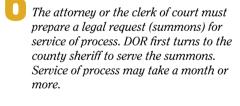


Prepare Packet for Attorney

DOR prepares documents providing information about the parents' finances, legal documentation on paternity and necessary court papers.

7 Response to Summons

By law, the noncustodial parent has 20 days to respond from the date of service.



Service of Process



Attorneys working under contract with DOR review the information provided, prepare the necessary court papers and file the action with the clerk.



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Mearing Date Set

Procedures for setting hearing dates vary among Florida's 20 judicial circuits. Typically, cases are set for hearing in two months, but sometimes it takes longer.



Judges and hearing officers generally conduct many hearings per day.

1 Final Order Received

It takes up to two weeks for DOR to receive the final order, depending on the judge's practices and caseload.

For Your Information

Children Need Dads

Making child support enforceable actually begins at birth. A critical element of establishing child support is establishing paternity. In the last three years, DOR has worked with Florida hospitals and birthing centers, and the Department of Health to arrange for more than 139,806 unwed fathers to sign affidavits voluntarily affirming paternity of newborns. If these children ever need child support, paternity already will have been established.

Finding Noncustodial Parents

DOR uses these tools to locate noncustodial parents:

- Driver license lists
- Reports filed by employers
- Utility company records
- Florida Medicaid and food stamp recipient lists
- Loan information on file with credit agencies
- Internet-based telephone and city directories
- Courthouse records
- Data from financial institutions.

Proof Positive of Paternity

If the alleged father argues he is not the child's parent, DOR conducts genetic testing to be sure. DOR is one of the largest users of genetic testing in Florida, testing more than 41,000 individuals per year. Genetic tests generally are accepted as proof of paternity in any U.S. court.

LEGEND

Within DOR's control

Outside DOR's control

Required by Law

Collection from Noncustodial Parent

- Have driver licenses suspended.
- Have passports suspended (if unpaid obligation is \$5,000 or more).
- Ask a judge to issue an arrest writ if the noncustodial parent fails to appear in court (writs

To require parents to pay what they owe, DOR can:

- are on file in police computers; if someone named in a writ is stopped by a law enforcement officer, he or she is arrested).
- Ask state or federal prosecutors to file criminal charges in certain circumstances.

Collection from Employer

The most effective enforcement tool is an income deduction order. It requires an employer to deduct child support payments from an employee's paycheck and send them to a central depository. Roughly half of all paying cases have such orders.

Collection through Liens on Assets

If a parent won't pay, DOR can:

- Seize IRS tax refunds.
- Report the parent to credit reporting agencies.
- Put liens on property.
- Freeze financial accounts



For more information:

Department of Revenue www.myflorida.com/dor

1-800-622-5437

